

PATENT

Atty Docket No.: 10010559-1

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CENTRAL FAX CENTER

## In The U.S. Patent and Trademark Office

APR 01 2005

## In Re the Application of:

Inventor(s): Guillermo A. ALVAREZ et al. Confirmation No.: 1174

Serial No.: 09/843,882 Examiner: Yigdall, Michael J.

Filed: April 30, 2001 Group Art Unit: 2122

Title: METHOD AND SYSTEM FOR ONLINE DATA MIGRATION ON  
STORAGE SYSTEMS WITH PERFORMANCE GUARANTEES

**MAIL STOP AF**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## CERTIFICATE OF FACSIMILE TO THE USPTO

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on April 1, 2005. This correspondence contains the following document(s):

1 sheet of Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences (2 copies).

Respectfully submitted,

MANNAVA & KANG, P.C.

April 1, 2005

  
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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

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Confirmation No.: 1174

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Examiner: Ylgdall, Michael

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Title: METHOD AND SYSTEM FOR ONLINE DATA MIGRATION ON STORAGE SYSTEMS WITH PERFORMANCE GUARANTEES

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PO Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, March 22, 2005, rejecting the following claims 1-23. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( ) one month	\$120.00
( ) two months	\$450.00
( ) three months	\$1020.00
( ) four months	\$1590.00

( ) The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: April 1, 2005  
OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on April 1, 2005.

Number of pages: 3

Typed Name: Judy H. Chung

Respectfully submitted,

Guillermo A. ALVAREZ et al.

By 

Timothy B. Kang

Attorney/Agent for Applicant(s)  
Reg. No. 46,423

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

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